



Attorney's Docket No. 35718/239836 (5718-152)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Crane *et al.*  
Appl No.: 10/039,836  
Filed: 10/23/01  
For: MAIZE PROTEINASE INHIBITOR-LIKE POLYNUCLEOTIDES AND METHODS  
OF USE

Confirmation No. 9340

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

**SUBMITTAL OF DECLARATION  
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Kelly J. Williamson  
Registration No. 47,179

**Customer No. 29122**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

"Express Mail" Mailing Label Number EL868641888US  
Date of Deposit: **May 28, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231, on May 28, 2002.

Pamela Lockley  
RTA01 2117908v1



05-27-02

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 2023  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,836	10/23/2001	Virginia C. Crane	35718/239836 (5718-152)

CONFIRMATION NO. 9340

00826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

## FORMALITIES LETTER



\*OC000000007727572\*

Date Mailed: 03/27/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

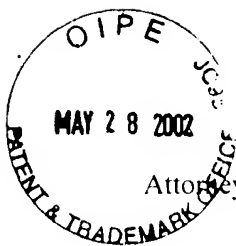
*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "H. H.", written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. 35718/239836 (5718-152)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Crane <i>et al.</i>	Confirmation No.:	9340
Appl. No.:	10/039,836	Group Art Unit:	1642
Filed:	10/23/01	Examiner:	To Be Assigned
For:	MAIZE PROTEINASE INHIBITOR-LIKE POLYNUCLEOTIDES AND METHODS OF USE		


**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

The Notice to File Missing Parts mailed March 27, 2002 indicates that a computer readable form of the Sequence Listing is required in the above-referenced application. A CFR of the Sequence Listing was mailed to the U.S. Patent and Trademark Office on April 22, 2002. Applicants submit that the requirements to comply with Sequence Listing Rules have been satisfied.

Respectfully submitted,


  
Kelly J. Williamson  
Attorney/Agent for Applicant  
Registration No. 47,179

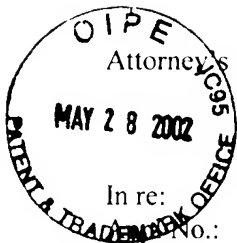
**CUSTOMER No. 29122**  
**ALSTON & BIRD LLP**  
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BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231, on May 28, 2002.

  
Pamela Lockley/RTA01.2117912v1



Attorney's Docket No. 35718/259836 (5718-152)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:  
No.:

Crane *et al.*  
10/039,836

Confirmation No.: 9340

Filed:

10/23/01

For:

MAIZE PROTEINASE INHIBITOR-LIKE POLYNUCLEOTIDES AND METHODS  
OF USE

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION**

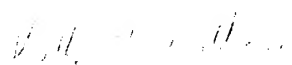
Sir:

In response to the Notice to File Missing Parts of Application dated March 27, 2002, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$130.00 to cover the \$130.00 surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☒ Other: Notice to Comply with Sequence Listing Requirements

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

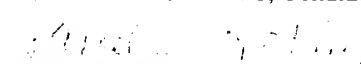
  
Kelly J. Williamson  
Registration No. 47,179

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Pamela Lockley